

ADA Regulations – Changes

The Department of Justice (DOJ) published revised final regulations implementing the Americans with Disabilities Act (ADA) for Title II (State and local government services) and **Title III (public accommodations and commercial facilities)** on September 15, 2010. These requirements, or rules, clarify and refine issues that have arisen over the past 20 years and contain new, and updated, requirements, including the 2010 Standards for Accessible Design (“2010 Standards”). These rules went into effect on March 15, 2011, however the DOJ has established March 15, 2012 as the compliance date for using the “2010 Standards” for new construction, alterations, program accessibility, and barrier removal.

In addition to the DOJ publication of the revised requirements, the Kansas State Senate introduced and passed a bill (SB223) in March 2011 amending K.S.A. 58-1301b, regarding accessibility standards for public facilities. This bill was received by the Kansas House of Representatives on March 22, 2012 and is now in house committee review. Should this bill be passed by the house, the mandatory compliance date for the “2010 Standards” in the state of Kansas could possibly occur sooner than March 15, 2012. We anticipate final action by the state legislature in July 2011.

For those of you involved in commercial development, design and/or construction, ADA requirements are important to understand. Development Services staff has begun a study of these changes and will continue to assist the development community in applying the regulations. Some of the areas of Title III which will be affected by these changes are:

1. Reach Range Requirements (Section 308)
2. Water Closet Clearances in Single User Toilet Rooms (Sections 603, 604)
3. Assembly Areas (Sections 221, 802)
4. Common Use Circulation Paths, Employee Work Areas (Secs.203.9, 206.2.8)
5. Location of Accessible Routes (Section 206)
6. Location of Accessible Routes to Stages (Section 206)
7. Direct Access Entrances from Parking Structures (Section 206)
8. Transient Lodging Guest Rooms (Sections 224, 806)

The final rule and the complete fact sheet are available in electronic format on the Internet at <http://www.ada.gov/>. For additional information or to order copies of any documents, including the complete “2010 ADA Standards for Accessible Design” call the ADA Information Line (800) 514-0301 (voice) or (800) 514-0383 (TTY). **Building Services staff has also posted documents to the Building Services webpage on the City of Salina website:**

- “2010 ADA Standards for Accessible Design”
 - “Fact Sheet Title III Changes to Standards”
 - “Effective Date/Compliance Date” for ADA 2010 Revised Requirements
- <http://www.salina-ks.gov/content/126/449/954/467/default.aspx>

This staff report is presented as an FYI to board members and the audience and does not require any formal action by the Building Advisory Board.